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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,774	10/23/2006	Ole Magleby Gudmand-Hoyer	00660.0326-US-WO	9437
22865	7590	09/18/2008		
Altera Law Group, LLC 220 S 6 St Suite 1700 Minneapolis, MN 55402			EXAMINER AKINYEMI, AJIBOLA A	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 09/18/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,774	Applicant(s) GUDMAND-HOYER, OLE MAGLEBY	
	Examiner AJIBOLA AKINYEMI	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (Patent No.: US 6928308B2) and further in view of Martin (GB 2344480).

With respect to claim 1:

Wang disclosed a handsfree kit for a mobile telephone comprising a circuit coupled between the mobile telephone (fig.1, item 18) and a car radio (fig.1, item 16) having a loudspeaker (fig.1, item 17), said circuit being adapted to transfer information via a FM modulator/mixer (inherent) from the mobile telephone (fig.1, item 18) to the loudspeaker (fig.1, item 17) of the car radio at a call to the mobile telephone, irrespective of whether the car radio is in an active or a passive state, wherein the antenna connector consists of a relay that is adapted to switch the signals for the car radio between the FM

Art Unit: 2618

modulator/mixer (col.1, lines 53-61) and an antenna in such a way that when a signal appears on the output of the FM modulator/mixer then the antenna will be connected to earth. Wang did not disclose an RDS generating circuit which is connected to the FM modulator/mixer via an antenna connector to an antenna input of the car radio. Martin (same field of endeavor) disclosed RDS generating circuit (fig.2, item 9) connected to a (modulator fig.2, item 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used RDS generator in order to be automatically tuned the radio receiver by sending digital signals with normal radio programs.

4. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (Patent No.: US 6928308B2) and further in view of Martin (GB 2344480) and Juntunen (Patent no.: 6163711).

With respect to claim 2:

Wang disclosed a handsfree kit for a mobile telephone comprising a circuit coupled between the mobile telephone (fig.1, item 18) and a car radio (fig.1, item 16) having a loudspeaker (fig.1, item 17), said circuit being adapted to transfer information via a FM modulator/mixer (inherent) from the mobile telephone (fig.1, item 18) to the loudspeaker (fig.1, item 17) of the car radio at a call to the mobile telephone, irrespective of whether the car radio is in an active or a passive state, wherein the antenna connector consists of a relay that is adapted to switch the signals for the car radio between the FM modulator/mixer (col.1, lines 53-61) and an antenna in such a way that when a signal

Art Unit: 2618

appears on the output of the FM modulator/mixer then the antenna will be connected to earth. Martin disclosed RDS generating circuit (fig.2, item 9) connected to a (modulator fig.2, item 8). Wang and Martin did not disclose the RDS generating circuit fed from an output from a call detector said call detector being fed from an output from a connector that is also connected to an input of the FM modulator/mixer. Juntunen disclosed a RDS generating circuit (fig.3, item 18) fed from an output from a call detector (fig.3, item 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used RDS generating circuit (fig.3, item 18) fed from an output from a call detector (fig.3, item 6) in order to be automatically tuned the radio receiver by sending digital signals with normal radio programs.

With respect to claim 3:

Juntunen disclosed a handsfree wherein the circuit additionally has a control circuit (fig.3, item 6) which is coupled via an input to a switch (fig.3, item 18, RDS which is used for tuning or switching to radio program or call from mobile) for switching the calls of the mobile telephone between the car radio and a headset (fig.3).

With respect to claim 4:

Juntunen disclosed a handsfree kit wherein the headset is wired or wirelessly connected to the circuit (fig.3).

With respect to claim 5:

Art Unit: 2618

Juntunen disclosed a handsfree kit wherein the circuit contains an interface circuit (fig.3, item 2), which is connected to the mobile telephone through a mobile telephone holder (fig.3, item 50).

With respect to claim 6:

Juntunen disclosed a handsfree kit wherein the circuit contains an interface circuit (fig.3, item 2), which is connected to the mobile telephone through a mobile telephone holder (fig.3, item 50). Juntunen did not disclose an interface circuit connected to mobile telephone holder via a short range but it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an interface circuit connected to a mobile phone via a short range in order to avoid distraction and for easy communication.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIBOLA AKINYEMI whose telephone number is (571)270-1846. The examiner can normally be reached on monday- friday (8.30-5pm) Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, YUWEN PAN can be reached on (571) 272-7855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA
/Yuwen Pan/
Primary Examiner, Art Unit 2618